



STATE OF MICHIGAN

JENNIFER M. GRANHOLM
GOVERNOR

DEPARTMENT OF LABOR & ECONOMIC GROWTH
Michigan Occupational Safety & Health Administration
(MIOSHA)

KEITH W. COOLEY
DIRECTOR

MIOSHA ERGONOMICS STANDARD ADVISORY COMMITTEE MEETING MINUTES

January 18, 2008 - 9:30 a.m. to 11:30 a.m.
Construction Technology Building - 8885 Ricks Road
State Secondary Complex – Lansing
Conference Room 1 & 2

COMMITTEE MEMBERS PRESENT:

Sheryl Ulin..... University of MichiganCo-Chairperson
Mark Spence Dow Chemical Company.....Co-Chairperson
Andrew Comai United AutoWorkers International Union (UAW)
Derrick Quinney Michigan State American Federation of Labor and Congress of Industrial
Organizations (AFL-CIO)
John Bavin Michigan Chamber of Commerce & Consumers Energy
Linda Berry..... United Food & Commercial Workers Union - Local 951
Margaret Faville Service Employees International Union - Local 79
Ronald Henderson Tower Automotive
Tycho Fredericks Western Michigan University
Teresa Bellingar Haworth, Inc

COMMISSIONERS PRESENT:

A.J. Hale Jr. General Industry Safety Standards Commissioner
Dennis Emery General Industry Safety Standards Commissioner
Karl Heim General Industry Safety Standards Commissioner
Thomas Pytlik General Industry Safety Standards Commissioner
William Borch General Industry Safety Standards Commissioner
David Glenn Occupational Health Standards Commissioner
Ronald J Torbert Occupational Health Standards Commissioner

AD HOC APPENDIX COMMITTEE MEMBERS PRESENT:

David Cwynar..... DAC Physical Therapy, LLC
Marie Martinko Society of the Plastics Industry, Inc
Nancy McLaughlin Agility Health Professionals, Inc.
Sarah Sims Chrysler LLC
Scott Tolmie Chrysler LLC

COMMITTEE MEMBERS NOT PRESENT:

Bradley Joseph Ford Motor Company
Dave Herbel Michigan Association of Homes & Services for the Aging
George Vondrak..... Blue Cross Blue Shield of Michigan
Susan Howe..... Society of the Plastics Industry, Inc.

AD HOC APPENDIX COMMITTEE MEMBERS NOT PRESENT:

Andrea Smutz Genesee County Controllers Office
Karlene Ketola Michigan Association of Homes & Services for the Aging
Laura Hardy Delphi

MIOSHA STAFF PRESENT:

Douglas Kalinowski Agency Director
John Peck Division Director
Marsha Parrott-Boyle Program Manager
Dena Hendon Department Analyst

VISITORS

Alfonso Guzman United AutoWorkers Union – General Motors
Amy Shaw Michigan Manufacturing Association
Andy Delonby Michigan Restaurant Association
Bill Lobenherz Michigan Soft Drink Association
Carl Little United AutoWorkers Union
Charles Owens National Federation of Independent Business
Chris Klaver Gongwer News Service
Don Gregory United AutoWorkers Union – General Motors
Ken Fletcher Michigan Nurses Association
Linda M. Gobler Michigan Grocers Association
Michael Spacil United AutoWorkers Union -Chrysler
Terry Davis United AutoWorkers Union
Wendy Block Michigan Chamber of Commerce

MIOSHA ERGONOMICS STANDARD ADVISORY COMMITTEE MISSION STATEMENT

The Ergonomics Standard Advisory Committee will pursue a consensus to draft a standard for presentation to the Commissions that would define a minimal process to recognize, evaluate, and where feasible, reduce risk factors that may contribute to work-related musculoskeletal disorders.

Agenda Item #1—Call to Order, Roll Call and Introductions – Co-Chairperson Sheryl Ulin

The January 18, 2008 MIOSHA Ergonomics Standard Advisory Committee meeting was called to order by Co-Chairperson Sheryl Ulin. A quorum of advisory committee members was present.

Committee members, MIOSHA staff, and visitors introduced themselves.

Ms. Ulin reviewed the purpose and origin of the committee and expressed appreciation for the continuous forward progress the group has made always in a non-contentious manner.

Agenda Item #2—Approval of Minutes from the June 28, 2006 Meeting

A motion was made by Derrick Quinney and seconded by Andy Comai to approve the minutes of the June 28, 2006 advisory committee meeting. **MOTION CARRIED UNANIMOUSLY.**

Agenda Item #3—MIOSHA Draft Feedback Project

Marsha Parrott-Boyle described an internal project to share the draft standard and appendix with a number of companies to solicit feedback on clarity and format. She also requested advisory committee members input to reach small companies with less experience with an ergonomic program and asked for help in identifying additional employers.

Marsha Parrott-Boyle stated that no objections from the committee members to this project were received. This project is progressing. She will report the results to the Occupational Health Standards Commission and the General Industry Safety Standards Commission.

Agenda Item #4—Review of the Appendix Draft #9 and Committee Approval

The ergonomics appendix draft #9, dated October 8, 2007, was submitted for final approval to the Ad Hoc Ergonomics Appendix Advisory Committee by email. All responses that were received were for approval. There were a few comments suggesting grammar, typing and formatting changes.

The ergonomics appendix draft #9 was presented to the Ergonomics Standard Advisory Committee for their review. No further changes were suggested.

A motion was made by Margaret Faville and seconded by Derrick Quinney to accept appendix draft #9 by the Ergonomics Standard Advisory Committee.

MOTION CARRIED UNANIMOUSLY.

Agenda Item #5—Review of Ergonomics Draft #15, dated June 28, 2006

The committee reviewed the Ergonomics Draft #15 dated June 28, 2006. Clarifications in Section C rule (4) and Section D rule (2) were made to better explain the meaning of “exempt.”

A motion was made by Mark Spence and seconded by Margaret Faville to accept Ergonomics Draft #15 with these changes. **MOTION CARRIED UNANIMOUSLY.**

Seeing no further request to continue language discussion on the draft, a motion was made by Derrick Quinney and seconded by Mark Spence to close discussions on the proposed rule language and move the Ergonomics Draft #15, with edits and Appendix Draft #9, back to the Occupational Health Standards Commission and the General Industry Safety Standards Commission. **MOTION CARRIED with one “no” from John Bavin.** Mr. Bavin was voting no to express his opposition to a mandatory standard although he agreed to the closing of the rule language discussions.

John Bavin, Michigan Chamber of Commerce and Consumers Energy and Marie Martinko on behalf of Susan Howe of the Society of the Plastics Industry, Inc. expressed non-support for mandatory rules. Therefore, when the committee reports back to the Commissions, it will include all non-consensus issues. The report will explain that after intensive group discussion, there was not full consensus on limiting the size or industry of the rule’s scope of application, and that there were some who expressed non-support for mandatory rules versus voluntary guidelines.

Agenda Item #6—Public Comment

General Industry Safety Standards Commissioners Thomas Pytlik, Dennis Emery, Karl Heim, and William Borch all thanked the advisory committee members for their time and efforts and let them know that they appreciate all their expertise. They also stated that the “draft” was exactly what the commissions were expecting.

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The following individuals spoke in support of a mandatory Ergonomics Standard:

Terry Davis..... United AutoWorkers Union
Don Gregory..... United AutoWorkers Union – General Motors
Carl Little United AutoWorkers Union
Michael Spacil United AutoWorkers Union - Chrysler
Alfonso Guzman..... United AutoWorkers Union – General Motors
Ken Fletcher..... Michigan Nurses Association

The following individuals submitted letters in support of a mandatory Ergonomics Standard:

Terry Davis..... United AutoWorkers Union
Don Gregory..... United AutoWorkers Union – General Motors
Carl Little United AutoWorkers Union
Michael Spacil United AutoWorkers Union - Chrysler
Alfonso Guzman..... United AutoWorkers Union – General Motors

The following individuals spoke in opposition to a mandatory Ergonomics Standard:

Wendy Block Michigan Chamber of Commerce
Charles Owens..... National Federation of Independent Business

Letters in opposition to a mandatory Ergonomics Standard were submitted by the following:

The Society of the Plastics Industry, Inc
Michigan Plumbing & Mechanical Contractors Association
Michigan Association of Homes and Services for the Aging

Douglas J. Kalinowski, Director of the Michigan Occupational Health and Safety Administration (MIOSHA) thanked all the advisory committee members on behalf of MIOSHA for their time and expertise. He also thanked all their employers for allowing them the time to work on this committee. He stated that this is a complex issue that the advisory committee made simple and did an excellent job of it. Mr. Kalinowski thanked Sheryl Ulin and Mark Spence specifically for their excellent leadership as co-chairpersons of this committee.

Marsha Parrott-Boyle also stated that we need to remember members that have resigned or were replaced for various reasons but contributed many hours to the final draft of a minimal rule.

Andrew S. Nastally Paper-Allied Ind-Chem-Energy Workers Union (PACE) Local 6-0670
Janice Homola Michigan Health and Hospital Association
Amy Shaw Michigan Manufacturers Association
Sande MacLeod United Food and Commercial Workers Local 951
Dee Tyler..... Michigan Health & Hospital Association
Don Barnes Consultant

Agenda Item #7—Next Meeting

This is the last meeting of the MIOSHA Ergonomics Standard Advisory Committee. The Occupational Health Standards Commission and the General Industry Safety Standards Commission may schedule a special joint meeting to receive the draft language and presentation from the advisory committee.

Agenda Item #9—Adjournment

With no further business before the advisory committee, the meeting was adjourned.

Minutes were reviewed and approved as amended, March 2008